

House Bill 1096

By: Representatives Austin of the 10th, Rynders of the 152nd, Harden of the 28th, and Allison of the 8th

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 48-8-67 of the Official Code of Georgia Annotated, relating to distribution of certain unidentifiable sales and use tax proceeds so as to revise and change the provisions regarding distribution authority; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 48-8-67 of the Official Code of Georgia Annotated, relating to distribution of certain unidentifiable sales and use tax proceeds, is amended by revising paragraph (h) as follows:

~~"(h) The authority of the commissioner to make distributions pursuant to this Code section shall cease on December 31, 2011, unless such authority is extended by a subsequent general Act of the General Assembly.~~

(h)(1) Whenever the authority of the commissioner to make distributions of unidentifiable proceeds pursuant to this Code section may have previously expired and been subsequently extended under prior law, any unidentifiable proceeds that remain undistributed by the commissioner, including proceeds received by the commissioner during any period of time between a previous expiration of the authority to distribute the proceeds and a subsequent extension of such authority, shall be distributed to the authorized recipients as soon as feasible.

(2) Except as to proceeds due the state as an authorized recipient, in no event shall the ownership or right to undistributed unidentifiable proceeds be converted from proceeds otherwise due to the authorized recipients to proceeds owned by the state."

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

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SECTION 3.

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All laws and parts of laws in conflict with this Act are repealed.